

IN THE MATTER OF:	DOCKET NUMBER:	BC-2011-00217
XXXXXXXXXXXXXXXXXX	COUNSEL:	NONE
	HEARING DESIRED:	NO

His revoked Air Force Commendation Medal, First Oak Leaf Cluster (AFCM, 1 OLC), issued under Special Order G-131 dated 2 Jul 08, be re-instated.

His AFCM was revoked due to a 15 Jul 08 referral Enlisted Performance Report (EPR). Since the referral EPR was removed, the reason for revocation of the AFCM no longer exists.

He has pursued administrative avenues of relief to get the AFCM, 1 OLC reinstated. In addition to working with the 345th RCS, he worked with his local Military Personal Flight. However, no response was ever received from the 345th RCS/CC.

In support of his request, he provides two personal memoranda, dated 22 Mar 10 and 11 Feb 12; letters of support from his Commander during the specified tour of duty, dated 20 Jan 10 and 25 Jan 12; letter of support from the Squadron's Operations Officer, dated 5 Oct 10; Evaluation Reports and Appeals Board (ERAB) decision to rescind the EPR (case#2812143), dated 30 Nov 10; second request for AFCEM, 1 OLC re-instatement, dated 11 Feb 12; and justification memorandum from the Superintendent, Military Personnel Section (21st FSS/FSMP-1), dated 29 Mar 12.

In his statement, the former 345thth RS Commander states that he identified the applicant's performance during his tenure as exceptional. He notes there was only three duty days between his and the applicant's departures. He absolutely does not concur with what occurred after he left. It was done without his knowledge and he would have vehemently opposed it.

The applicant's complete submission, with attachments, is at Exhibit A.

[REDACTED]

STATEMENT OF FACTS:

The applicant is currently serving in the Regular Air Force in the grade of master sergeant (E-7).

On 2 Jul 08, he was awarded the AFCM, 1 OLC for the period 1 Oct 04 to 2 Jul 08 for his service in the 345thth Recruiting Squadron (RS).

On 14 Jul 08, he departed for his next duty station.

On 15 Jul 08, his referral EPR closed-out.

On 16 Sep 08, his 2 Jul 08 AFCM, 1 OLC was revoked per Special Order G-191.

On 30 Nov 10, the applicant was notified by AFPC/DPSIDEP the ERAB had approved his application to rescind the 15 Jul 08 referral EPR.

On 11 Jan 11, the applicant submitted his first DD Form 149, *Application for Correction of Military Record Under the Provisions of Title 10 U.S. Code, Section 1558*, requesting the revoked AFCM, 1 OLC, Special Order G-131 be re-instated.

On 14 Feb 11, AFPC/DPSIDR returned the request without further action. They asked that all administrative channels for this decoration be exhausted before resubmitting a DD Form 149.

On 26 Apr 11, the applicant went with the 345thth RCS/CC who submitted him for the AFCM to meet with the current 345thth RCS/CC who revoked his AFCM. He provided the current commander with all the information requested so he could make a decision regarding his AFCM.

The remaining relevant facts pertaining to this application are contained in the letter prepared by the appropriate office of the Air Force, which is attached at Exhibit C.

AIR FORCE EVALUATION:

AFPC/DPSIDR recommends the Board consider the merits of the applicant's request for reinstatement of the AFCM. The applicant has attempted to exhaust all administrative avenues through his former chain of command. If the board decides to grant the request, all records should be updated to include removal of documentation revoking the AFCM as if it never existed.

A complete copy of the AFPC/DPSIDR evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 30 May 12 for review and comment within 30 days. As of this date, no response has been received by this office (Exhibit D).

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has been presented to demonstrate the existence of an error or injustice. After a thorough review of the evidence of record and the applicant's complete submission, we believe a preponderance of the evidence supports corrective action. Considering his previous Commander's testimony and the ERAB decision to rescind the EPR, that was the basis for revoking the AFCM, 1 OLC, we find the evidence presented is sufficient to support voiding the revocation order and placing the decoration back in his records. Therefore, we recommend his records be corrected as indicated below.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to the APPLICANT be corrected to show that:

- a. Department of the Air Force special order G-191, dated 16 Sep 08 is declared void and removed from his records.
- b. The Air Force Commendation Medal (First Oak Leaf Cluster) that he was previously awarded on 2 Jul 08 for meritorious service during the period 1 Oct 04 to 2 Jul 08 is placed in his records.

The following members of the Board considered AFBCMR Docket Number BC-2011-00217 in Executive Session on 9 Jan 13, under the provisions of AFI 36-2603:

XXXXXXXXXXXXXXXXXX, Panel Chair
XXXXXXXXXXXXXXXXXX, Member
XXXXXXXXXXXXXXXXXX, Member

[REDACTED]

All members voted to correct the records as recommended. The following documentary evidence pertaining to AFBCMR Docket Number BC-2011-00217 was considered:

- Exhibit A. DD Form 149, dated 11 Jan 11 and 11 Feb 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSIDR, dated 16 May 12.
- Exhibit D. Letter, SAF/MRBR, dated 30 May 12.

XXXXXXXXXXXXXXXXXX
Panel Chair